

ORIGINAL

FILED IN CHAMBERS
U.S.D.C. - Atlanta

United States District Court
NORTHERN DISTRICT OF GEORGIA

UNITED STATES OF AMERICA

v.

Gavin D. Henderson

JAN 02 2018
James N. Hatten, Clerk
By: Deputy Clerk

CRIMINAL COMPLAINT

Case Number: 1:18-mj-0004

I, the undersigned complainant being duly sworn, state the following is true and correct to the best of my knowledge and belief. On or about December 31, 2017 in DeKalb County, in the Northern District of Georgia, defendant(s) did, did willfully injure or commit any depredation against any property of the United States, or of any department or agency thereof, or any property which has been or is being manufactured or constructed for the United States, or any department or agency thereof, in that the defendant did cause damage in excess of \$1,000 to the office of the United States Citizenship and Immigration Services,

in violation of Title 18, United States Code, Section(s) 1361.

I further state that I am a(n) Inspector and that this complaint is based on the following facts:

PLEASE SEE ATTACHED AFFIDAVIT

Continued on the attached sheet and made a part hereof. Yes



Signature of Complainant
Richard C. Shearman

Based upon this complaint, this Court finds that there is probable cause to believe that an offense has been committed and that the defendant has committed it. Sworn to before me, and subscribed in my presence

January 2, 2018

Date

at Atlanta, Georgia

City and State

RUSSELL G. VINEYARD

UNITED STATES MAGISTRATE JUDGE

Name and Title of Judicial Officer

AUSA Jessica Morris

Signature of Judicial Officer



AFFIDAVIT

I, Inspector Richard C. Shearman, being first duly sworn, hereby depose and state as follows:

1. I am an Inspector with the Department of Homeland Security Federal Protective Service ("DHS/FPS"), and have been so employed for approximately 15 years. Previously, I was employed for 3 years as Corrections Officer for the Bureau of Prisons. As a part of my duties, I investigate violations of federal law involving the protection and preservation of federal property.

2. I make this affidavit in support of a criminal complaint and arrest warrant charging Gavin D. Henderson with a violation of 18 U.S.C. § 1361 (damage to government property in excess of \$1,000).

3. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other law enforcement investigators and witnesses. This affidavit is intended to show that there is sufficient probable cause for the requested complaint and does not set forth all of my knowledge about this matter. Specifically, I note as follows:

4. On Sunday, December 31, 2017, at approximately 4:10 p.m., I received a call from the FPS dispatch center indicating there was an intrusion alarm at 2150 Park Lake Drive, Atlanta, Georgia 30345 at the office of the United States Citizenship & Immigration Services (USCIS). Around the same time, the DeKalb County Police Department (DPD) contacted the FPS dispatch center and indicated that they had two officers on scene at the USCIS facility and had a suspect in custody. Two DPD officers were at a nearby apartment complex when they heard loud noises. They looked over the fence towards the entrance of the USCIS facility and observed the defendant, Gavin D. Henderson, banging

on the glass with a red fire extinguisher. The defendant continued to bang on the glass without breaking the glass. Eventually, he hurled the fire extinguisher through the glass. The officers approached the USCIS building. The defendant was sitting outside smoking a cigarette. He made a statement that he attempted to burglarize the facility and stated that they should take him to jail.

5. USCIS facility-maintenance personnel notified me that damage to the protective glass, doorframe, and blinds caused by the defendant amounted more than \$1,000 of damage.

6. USCIS is a federal agency within DHS. USCIS is the government agency that oversees lawful immigration to the United States. The USCIS office at 2150 Park Lake Drive, Atlanta, Georgia 30345 is within the Northern District of Georgia.

7. Based on the above information, I respectfully submit that there is probable cause to believe that on or about December 31, 2017, the defendant, Gavin D. Henderson, did willfully injure or commit any depredation against any property of the United States, or of any department or agency thereof, or any property which has been or is being manufactured or constructed for the United States, or any department or agency thereof, in violation of 18 U.S.C. § 1361.